


Juvenile Incident Reporting Policy

Approved: 
Date: July 2015

I. Policy

The safety and wellbeing of juveniles, facility/service staff, and probation staff are essential to the rehabilitation process and public safety. This policy serves to provide direction to the probation system for reporting death, serious injury, and other significant incidents experienced by juveniles under probation supervision to the Inspector General for Child Welfare as required in §43-4318 (1)(c) and to the Administrative Office of Probation. The policy seeks to ensure timely and appropriate response to a variety of incidents that may occur while a juvenile is under probation supervision in the community and/or placement. The direction in this policy provides the Administrative Office of Probation, Chief Probation Officers, and designated district management staff steps in working collaboratively with all necessary stakeholders to provide adequate standards and conditions of care to minimize harm.

II. Purpose

To meet the statutory requirements of reporting the death or serious injury of a juvenile supervised by probation to the Inspector General of Child Welfare and establishing a formal process for response to other significant incidents occurring while a juvenile is under probation supervision.

III. Reference

[Neb. Rev. Stat. §43-4318\(1\)\(c\)](#) Office; duties; reports of death or serious injury; when required; law enforcement agencies and prosecuting attorneys; cooperation; confidentiality.

[Nebraska State Probation Critical Incident Policy](#)

IV. Procedure

A. Definitions:

1. *Death or Serious Injury:*

[Neb. Revised Statute §43-4318\(1\)\(c\)](#) defines serious injury as “an injury or illness caused by suspected abuse, neglect or maltreatment which leaves the child in critical or serious condition.”

2. *Significant Incident:*

Such incidents may include but are not limited to:

- a) Juvenile is a victim and/or initiator of alleged physical and/or sexual assault (i.e. a situation that rises to the level of contacting authorities, a weapon is involved, circumstances are out of the ordinary, etc.);
- b) Juvenile sustains a significant injury that requires medical attention;

- c) An event that has the potential to involve media exposure or that may be subjected to a high level of scrutiny or public interest;
 - d) A situation which could result in the need to contact DHHS licensure (i.e. safety of the juvenile is of concern);
 - e) Circumstances demonstrate potential ethical concerns.
- B. In the event that an incident as defined in statute and in this policy occurs during the time a juvenile is under probation supervision, district management, district designated staff and designated administrative staff will notify all necessary parties related to the incident.
 - 1. The Chief Probation Officer will designate and inform the Administrative Office of the assigned district staff who will take the lead of all incidents included in this policy and that person will be titled the "Office of Inspector General District Liaison."
 - 2.
 - 3. District management and/or designated staff will notify the Administrative Office of Probation immediately upon learning of the situation.
 - 4. Designated administrative staff will notify the Inspector General of Child Welfare immediately upon learning of the situation.
 - 5. Notifications shall be made by email and/or phone with the exception of the parent/legal guardian, whom shall be notified in person.
 - 6. Youth placed at the YRTC are in the custody of the Department of Health and Human Services, Division of Children and Family Services. They are required by statute to notify the Inspector General of Child Welfare of all critical incidents. YRTC notifies the Reentry Specialist at the Administrative Office of all incidents at YRTC. The Reentry specialist notifies the Probation Administrator, Deputy and Assistant Deputy of the Juvenile Division and Directors of Placement of all critical incidents at the YRTC.
- C. Documentation of an incident will be located within the Nebraska Probation Information System.
 - 1. Designated administrative staff will provide initial incident documentation to the Inspector General for Child Welfare in a timely manner.
 - 2. Designated administrative staff will provide any necessary follow up information to the Inspector General for Child Welfare.
- D. Release of Information to the Inspector General for Child Welfare:
 - 1. The Inspector General may submit a written confidential record information request to the Probation Administrator in all cases under 43-246.01 and 43-247.

Upon a juvenile court order, the record information shall be provided to the Office of the Inspector General within five (5) calendar days.

2. The Probation Administrator and/or designated administrative staff will notify the Office of Inspector General District Liaison and Chief Probation Officer whose district has jurisdiction of the case that probation records must be submitted to the Inspector General within five (5) calendar days.
3. The Office of Inspector General District Liaison will facilitate the provision of records into the Nebraska Probation Information System
4. The Office of Inspector General District Liaison will inform the Probation Administrator, Deputy Administrator of Juvenile Services, Assistant Deputy of Juvenile Services, and Director of Placement Court Services when the records have been made available to the Inspector General's Office.
5. Upon notice from the district records for the individual juvenile will be opened to the Office of Inspector General for review.